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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,230	02/20/2001	Mamiko Kuramochi	1046.1242 (JDH)	4371
21171	7590	10/08/2003	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			CHEN, CHONGSHAN	
			ART UNIT	PAPER NUMBER
			2172	
			DATE MAILED: 10/08/2003	

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/785,230

Applicant(s)

KURAMOCHI, MAMIKO

Examiner

Chongshan Chen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to communications: Amendment A, filed on 28 July 2003. This action is made final. Claims 1-38 are pending.

#### ***Response to Arguments***

2. Applicant's arguments filed on 28 July 2003 regarding claims 1, 9 and 16 have been fully considered but they are not persuasive.

As per applicant's arguments regarding "Bence does not discuss or suggest setting the item data of data file to the fixed format" have been considered but are not persuasive. Bence teaches a system accepts files in numerous formats, and formats them into a common format for processing (Bence, col. 1, lines 44-47, col. 1, line 60 – col. 2, line 10). Therefore, Bence teaches setting the item data of data file to the fixed format.

As per applicant's arguments regarding Bence does not teach the specifying control unit have been considered but are not persuasive. Bence teaches a system allows the user to specify the characteristics of the data file (Bence, col. 5, lines 51-52). Therefore, the system of Bence has a specifying control unit in order to allow the user to specify the characteristics of the data file.

As per applicant's arguments regarding "neither Bence, Jr., nor Hamada discloses or suggests displaying a format file and a data file as a list" have been considered but are not persuasive. The limitation is not recited in the original rejected claim(s).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6, 8-13, 15-20, 22, 24-26, 28-31, 33-36 and 38 are rejected under 35

U.S.C. 102(e) as being anticipated by Bence, Jr. et al. ("Bence, Jr.", 6,484,178).

As per claim 1, Bence, Jr. discloses a data processing system comprising:

a display control unit of implementing a display module for displaying at least one format file containing a fixed format, and at least one data file containing item data to be set to the fixed format (Bence, Jr., Fig. 5);

a specifying control unit of implementing a specifying module for specifying any one of the format file and the data file, and also specifying the other category of file from this one file (Bence, Jr., col. 1, lines 60-66, "examining the submitted client data file; finding a known data format that most closely matches the format of the client data file, known data formats being stored in a format database"); and

a setting unit for setting the item data of the data file to the fixed format of the format file in accordance with the specifying operation (Bence, Jr., col. 1, line 60 - col. 2, lines 8, "aligning the data contained in a given record, thus, creating a format corresponding to the client's data format...this function serves to mass convert the client's data records into a common data format").

As per claim 2, Bence, Jr. teaches all the claimed subject matters as discussed in claim 1, and further discloses said setting unit sets the item data to the fixed format of the format file, and creates the plurality of files at one time (Bence, Jr. col. 2, lines 18-33).

As per claim 3, Bence, Jr. teaches all the claimed subject matters as discussed in claim 1, and further discloses said setting unit sets the item data of the data file to the fixed format of the format file by a form overlay function in accordance with the specifying operation (Bence, Jr. Fig. 1, 5, 7, col. 2, lines 18-33).

As per claim 4, Bence, Jr. teaches all the claimed subject matters as discussed in claim 1, and further discloses a distinguishing unit of distinguishing between file formats of the specified format file and data file (Bence, Jr., Fig. 1, col. 2, lines 18-33).

As per claim 5, Bence, Jr. teaches all the claimed subject matters as discussed in claim 4, and further discloses distinguishing unit distinguishes between the file formats of the format file and the data file on the basis of any one category of element among extensions, file names and a file selection order (Bence, Fig. 4, 6A, 7, col. 7, line 65 - col. 8, line 15).

As per claim 6, Bence, Jr. teaches all the claimed subject matters as discussed in claim 1, and further discloses a print control unit of implementing a print module for printing contents of the item data of the data file which have been set to the fixed format of the format file in accordance with the specifying operation (Bence, Jr., Fig. 4, Printer Maker/Model).

As per claim 8, Bence, Jr. teaches all the claimed subject matters as discussed in claim 1, and further discloses said setting unit sets the item data of the data file to the fixed format of the format file in accordance with the specifying operation of specifying the format file and the data file that are displayed in the form of display objects (Bence, Jr., Fig. 1, col. 2, lines 17-42).

Claims 9-12 are rejected on grounds corresponding to the reasons given above for claims 1-4.

Claim 13 is rejected on grounds corresponding to the reasons given above for claim 6.

Claim 15 is rejected on grounds corresponding to the reasons given above for claim 8.

Claims 16-19 are rejected on grounds corresponding to the reasons given above for claims 1-4.

Claim 20 is rejected on grounds corresponding to the reasons given above for claim 6.

Claim 22 is rejected on grounds corresponding to the reasons given above for claim 8.

As per claim 24, Bence, Jr. teaches all the claimed subject matters as discussed in claim 2, and further teaches said setting unit sets the item data of the data file to the fixed format of the format file by a form overlay function in accordance with the specifying operation (Bence, Jr., Fig. 1, 5, 7, col. 2, lines 18-49).

As per claim 25, Bence, Jr. teaches all the claimed subject matters as discussed in claim 2, and further teaches distinguishing unit distinguishing between file formats of the specified format file and data file (Bence, Jr., col. 2, lines 18-49).

As per claim 26, Bence, Jr. teaches all the claimed subject matters as discussed in claim 2, and further teaches a print control unit implementing a print module printing contents of the item data of the data file which have been set to the fixed format of the format file in accordance with the specifying operation (Bence, Jr., col. 6, lines 58-60).

As per claim 28, Bence, Jr. teaches all the claimed subject matters as discussed in claim 2, and further teaches said setting unit sets the item data of the data file to the fixed format of the

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format file in accordance with the specifying operation of specifying the format file and the data file that are displayed in the form of display objects (Bence, Jr., col. 1, line 44 – col. 2, line 49).

Claims 29 and 34 are rejected on grounds corresponding to the reasons given above for claim 24.

Claims 30 and 35 are rejected on grounds corresponding to the reasons given above for claim 25.

Claims 31 and 36 are rejected on grounds corresponding to the reasons given above for claim 26.

Claims 33 and 38 are rejected on grounds corresponding to the reasons given above for claim 28.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7, 14, 21, 27, 32 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bence, Jr. et al. ("Bence, Jr.", 6,484,178) in view of Hamada et al. ("Hamada", 6,191,807).

As per claim 7, Bence, Jr. teaches all the claimed subject matters as discussed in claim 1, except for explicitly disclosing said specifying control unit implements the specifying module for specifying the format file and the data file *by a drag and drop function*. Hamada discloses said specifying control unit implements the specifying module for specifying the format file and the

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data file *by a drag and drop function* (Hamada, col. 5, line 66 - col. 6, line 18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Hamada with Bence in order to save the burden of the user by allowing drag and drop instead of typing file information.

Claims 14, 21, 27, 32 and 37 are rejected on grounds corresponding to the reasons given above for claim 7.

7. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bence, Jr. et al. ("Bence, Jr.", 6,484,178) in view of Yuichi (JP 9282209).

As per claim 23, Bence, Jr. teaches all the claimed subject matters as discussed in claim 1, except for explicitly disclosing the format file and the data file are displayed as a list. Yuichi teaches displaying the files as a list (Yuichi, p13, [Solving Means]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include displaying the files as a list in the system of Bence, Jr. It will easily allow the user to locate the file when the files are displayed as a list.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kadowaki Shuichi (JP 7336659) teaches dragging and dropping file and replacing the highlighted text.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is (703) 305-8319. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703)305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

October 3, 2003

  
SHAHID ALAM  
PRIMARY EXAMINER